

REMARKS/ARGUMENTS

Claims 1-3, 6-17, 19 and 21-52 were pending.

Claims 1, 8 and 50 have been amended to more clearly point out the antecedent basis of the term “corner.” Claims 1 and 8 have further been amended to recite the limitations of claims 12-14, and claims 12-15 have accordingly been canceled without prejudice. Claim 50 has further been amended to depend from claim 1.

Claims 34, 35 and 52 have been canceled without prejudice.

New claim 53 has been added. Support for the claim amendments and new claim can be found throughout the present disclosure, *e.g.*, in the Specification as filed at paragraphs [0020] and [0050], and claims 1-52 as filed. No new matter has been added.

Claims 1-3, 6-11, 16, 17, 19, 21-33, 36-51 and 53 are currently pending.

I. Claim Objections

Claims 1, 8 and 50 were objected to based on certain informalities. These claims have herein been amended to recite that the “at least one of said outermost bottom left corner and said outermost bottom right corner” corresponds to the alignment notch. Therefore, Applicants respectfully submit that these objections have been overcome and should be withdrawn.

II. Rejections Under 35 U.S.C. § 102(b) based on Bondoc

Claims 1, 3, 8-12, 16, 17, 19, 21-23, 25-31, 34, 35 and 52 have been rejected based on U.S. Patent No. 6,105,329 to Bondoc et al. (“Bondoc”). Applicants respectfully traverse these rejections.

In light of the present amendments to independent claims 1 and 8, these claims are not anticipated by Bondoc, because the Office Action has acknowledged that Bondoc does not disclose either the shadow band positioned at an interface between the posterior tabs and headlap, or the shadow tip on the lower edge of the posterior tab of a third shade (Office Action, pages 8-9). Therefore, Bondoc does not teach each and every element of these claims.

Because claims 3, 9-11, 16, 17, 19, 21-23 and 25-31 all depend from claim 1 or claim 8, these claims are also not anticipated by Bondoc, as Bondoc does not teach each and every element of these claims.

Because claims 12, 34, 35 and 52 have been canceled, the rejection of these claims is moot.

For at least these reasons, Applicants respectfully submit that this rejection has been overcome, and should be withdrawn.

III. Rejections Under 35 U.S.C. § 103(a)

Claim 13 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bondoc in view of U.S. Patent No. 6,421,976 to Elliott et al. (“Elliott”) and U.S. Patent No. 6,305,138 to Stahl et al. (“Stahl”).

Claim 14 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bondoc in view of Stahl.

Claim 15 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bondoc in view of Elliott.

Claims 24, 50 and 51 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bondoc.

Applicants respectfully traverse all of these rejections.

First, as claims 13-15 have been canceled without prejudice, Applicants respectfully submit that the rejection of these claims is moot and should be withdrawn.

Next, with regard to claim 24, Applicants disagree with the statement in the Office Action that “Bondoc discloses the claimed invention except the spacing of the posterior tabs.” (Office Action, p. 10). In fact, as amended, claim 24 (which depends from claim 8), recites all of the limitations of claim 8, including, for example, a shadow tip positioned on a lower edge of said plurality of posterior tabs, said shadow tip and said shadow band include granules having a third shade that is darker than said first shade of said at least one anterior tab and said second shade of said plurality of posterior tabs (see claim 8 and claim 24). None of these features is either taught or suggested by Bondoc. For at least this reason, claim 24 is not obvious in view of Bondoc.

With regard to claims 50 and 51, Applicants respectfully submit that these obviousness rejections are moot in view of the present amendments to claim 50. As claim 50 and claim 51 are now dependent from claim 1, and therefore recite all of the limitations therein, it is respectfully submitted that Bondoc does not teach or suggest the limitations of claims 50 and 51 for the reasons discussed previously, and therefore this rejection is moot.

In view of the above amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance, early notice of which is earnestly solicited.

Should any outstanding issues remain, the Examiner is invited to contact Applicants’ attorneys at the telephone number below.

The Director is hereby authorized to charge any necessary fees associated with this filing or credit any overpayment, to Deposit Account No. 03-1250, Reference No. 12080001.000019, Customer No. 43,309.

Respectfully submitted,

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